



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

September 15, 2015
Certified Mail/Return
7012 3460 0003 1113 0970

City of Tehama
P.O. Box 70
Tehama, CA 96090

Attention: Carolyn Steffan, City Clerk

Subject: Public Water System No. 5200504 – Citation No. 21-15C-031 for Lead and Copper Rule monitoring violation.

It has come to our attention that the City of Tehama water system did not monitor and report lead and copper samples in the year 2012, according to the Lead and Copper Rule (LCR). Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) with Title 22 California Code of Regulations, Sections 64675 and 64690.

Please review the enclosed Citation and note directives for corrective action and public notification.

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

A handwritten signature in black ink, reading "R. Crenshaw".

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

1 STATE WATER RESOURCES CONTROL BOARD
2 DIVISION OF DRINKING WATER
3

4 **Public Water System:** City of Tehama

5 **Water System No.:** 5200504
6

7 **To:** City of Tehama
8 Attn: Carolyn Steffan, City Clerk
9 P.O. Box 70
10 Tehama, CA 96090
11

12 **Issued:** September 15, 2015
13 VIA CERTIFIED MAIL
14
15

16 **CITATION NO. 21-15C-032 FOR NONCOMPLIANCE**
17 **with Title 22 California Code of Regulations**
18 **Sections 64675 and 64690**
19

20 Section 116650 of the California Health and Safety Code (CHSC) authorizes the
21 issuance of a citation for failure to comply with a requirement of the California Safe
22 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with
23 Section 116270), or any regulation, standard, permit, or order issued thereunder.
24

25 The State Water Resources Control Board, acting by and through its Division of
26 Drinking Water (hereinafter "Division") and the Deputy Director for the Division,

1 hereby issues a citation to City of Tehama for failure to comply with Sections 64675
2 and 64690, Title 22, of the California Code of Regulations (CCR).

3
4 **APPLICABLE AUTHORITIES**

5 Section 116650 of the CHSC states:

6
7 *(a) If the department determines that a public water system is in violation*
8 *of this chapter or any regulation, permit, standard, citation, or order*
9 *issued or adopted thereunder, the department may issue a citation to*
10 *the public water system. The citation shall be served upon the public*
11 *water system personally or by certified mail. Service shall be deemed*
12 *effective as of the date of personal service or the date of receipt of*
13 *the certified mail. If a person to whom a citation is directed refuses to*
14 *accept delivery of the certified mail, the date of service shall be*
15 *deemed to be the date of mailing.*

16
17 *(b) Each citation shall be in writing and shall describe the nature of the*
18 *violation or violations, including a reference to the statutory provision,*
19 *standard, order, citation, permit, or regulation alleged to have been*
20 *violated.*

21
22 *(c) A citation may specify a date for elimination or correction of the*
23 *condition constituting the violation.*

24
25 *(d) A citation may include the assessment of a penalty as specified in*
26 *subdivision (e).*

1 (e) The department may assess a penalty in an amount not to exceed
2 one thousand dollars (\$1,000) per day for each day that a violation
3 occurred, and for each day that a violation continues to occur. A
4 separate penalty may be assessed for each violation.
5
6

7 Section 64675.5, Title 22, of the CCR states in relevant part:
8

9 (a) A system shall conduct standard tap sampling for two
10 consecutive periods; thereafter, tap sampling frequency may be
11 reduced pursuant to section 64675 (General Requirements for
12 Tap Sampling for Lead and Copper) as follows:
13

14 (1) If a system has 90th percentile levels that do not exceed
15 0.005 mg/L for lead and 0.65 mg/L for copper for two
16 consecutive periods, it may reduce the sampling to once every
17 three years at the reduced number of sites.
18
19

20 Section 64690.1, Title 22, of the CCR states in relevant part:
21

22 Each system shall report the following within the first 10 days after the
23 end of each period during which such sampling or monitoring was
24 conducted:
25

26 (a) For lead and copper tap sampling:



1 (1) *The results of all tap samples including the location of each*
2 *site and the associated tier criteria from section 64676*
3 *(Sample Site Selection);*

4
5 (2) *The 90th percentile lead and copper concentrations calculated*
6 *pursuant to section 64678 (Determination of Exceedances of*
7 *Lead and Copper Action Levels); and*

8
9 (3) *With the exception of the first period of tap sampling, an*
10 *identification of any site that was not sampled during previous*
11 *periods, along with an explanation of why the sampling site*
12 *was changed;*

13
14 **STATEMENT OF FACTS**

15 The City of Tehama (Water System) is classified as a community water system
16 serving approximately 435 people. Because the Water System meets a reduced lead
17 and copper sampling frequency, it is required to collect five (5) lead and copper
18 samples every three years according to Table 64675-A and section 64675.5 of Title
19 22. The Water System failed to collect and report lead and copper samples at the
20 end of the triennial period in 2012. The last samples submitted to the Division were
21 taken in September 2015.

22
23 **DETERMINATIONS**

24 The Division has determined that the Water System violated Section 64675.5(a)(1)
25 and Section 64690.1, Title 22, of the CCR, in that the Water System failed to collect
26 and report triennial samples in 2012.

DIRECTIVES

The Water System is hereby directed to take the following actions:

1. Comply with Section 64675.5, Title 22, of the CCR in all future monitoring periods.
2. **Conduct lead and copper monitoring from customer's taps in June, July, August, or September of 2016, and then again in June, July, August, or September of 2018. Thereafter, sampling may resume to triennial.** Samples shall be collected in accordance with the Lead and Copper Rule Sampling per Title 22, Section 64677. The analytical results must be reported to the Division by the 10th day of the month following the month in which the analysis was completed.

All documents required by this Citation to be submitted to the Division shall be submitted to the following address:

Reese B. Crenshaw, P. E.
Valley District Engineer
Drinking Water Field Operations
Division of Drinking Water
State Water Resources Control Board
364 Knollcrest Drive, Suite 101
Redding, CA 96002
(530) 224-4800

1 Nothing in this Citation relieves the Water System of its obligation to meet the
2 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California
3 Safe Drinking Water Act), or any regulation, permit, standard or order issued or
4 adopted thereunder.

5
6 The Division reserves the right to make such modifications to this Citation, as it may
7 deem necessary to protect public health and safety. Such modifications may be
8 issued as amendments to this Citation and shall be effective upon issuance.

9
10 **FURTHER ENFORCEMENT ACTION**

11 The California SDWA authorizes the State Board to: issue citation with assessment of
12 administrative penalties to a public water system for violation or continued violation of
13 the requirements of the California SDWA or any permit, regulation, permit or order
14 issued or adopted thereunder including, but not limited to, failure to correct a violation
15 identified in a citation or compliance order. The California SDWA also authorizes the
16 State Board to take action to suspend or revoke a permit that has been issued to a
17 public water system if the system has violated applicable law or regulations or has
18 failed to comply with an order of the State Board; and to petition the superior court to
19 take various enforcement measures against a public water system that has failed to
20 comply with violates an order of the State Board. The State Board does not waive any
21 further enforcement action by issuance of this citation.

22
23 **PARTIES BOUND**

24 This Citation shall apply to and be binding upon the Water System, its officers,
25 directors, agents, employees, contractors, successors, and assignees.

1 **SEVERABILITY**

2 The directives of this Citation are severable, and the Water System shall comply with
3 each and every provision thereof notwithstanding the effectiveness of any other
4 provision.

5
6
7 R. Crenshaw

8
9 Reese B. Crenshaw, P.E., District Engineer
10 Valley District
11 Drinking Water Field Operations Branch
12
13

9/15/15

Date

